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President: Mr. Muhammad ZAFRULLA KHAN
(Pakistan).

AGENDA ITEM 74

Consular relations

REPORT OF THE SIXTH COMMITTEE (A/5343)

AGENDA ITEM 73

Question of the publication of a United Nations juridical
yearbook

REPORTS OF THE SIXTH COMMITTEE (A/5342
AND CORR.1) AND OF THE FIFTH COMMITTEE
(A/5373)

AGENDA ITEM 75

Consideration of principles of international law concerning
friendly relations and co-operation among States in ac-
cordance with the Charter of the United Nations

REPORT OF THE SIXTH COMMITTEE (A/5356)

Pursuant to rule 68 of the rules of procedure, it was
decided not to discuss the reports of the Sixth Commit-
tee.

1. Mr. RUDA (Argentina), Rapporteur of the Sixth
Committee (translated from Spanish): I have the honour
of presenting the reports of the Sixth Committee on
items 74 (Consular relations), 73 (Question of the pub-
lication of a United Nations Juridical Yearbook) and 75
(Consideration of principles of international law con-
cerning friendly relations and co-operation among
States in accordance with the Charter of the United
Nations).

2. Item 74 (Consular relations), the first on our agenda
for today, was included in the provisional agenda of the
seventeenth regular session pursuant to General As-
sembly resolution 1685 (XVI), the operative part of
which relates to the convening of an international con-
ference of plenipotentiaries on consular relations at
Vienna at the beginning of March 1963.

3. Its inclusion in the agenda was decided upon, in the
words of resolution 1685 (XVI), in order "to allow fur-
ther expressions and exchanges of views concerning
the draft articles on consular relations" prepared by
the International Law Commission at its thirteenth
regular session, which will serve as the basis for the
work of the forthcoming Vienna Conference. Written
comments have also been submitted by Governments.
The exchanges of views regarding the item and the
comments submitted on the various draft articles will
be of great assistance to the Governments which are to
be represented at Vienna, and their presentation has
given some idea of some of the positions that will be
adopted at the Conference.

4. With a view to further facilitating the work involved,
the United Kingdom submitted a draft resolution
[A/5343, para. 6], which was adopted unanimously; in it
the Secretary-General is requested to transmit to the
Conference the records and documentation relating to
the item, and the prospective participants are invited
to submit not later than 10 February any amendments
they wish to propose, without prejudice, of course, to
their right to propose other amendments at the Confer-
ence. The draft resolutions recommended to the As-
sembly on the item "Consular relations" appear in
document A/5343.

5. The item relating to the question of the publication
of a United Nations Juridical Yearbook was placed in
the agenda of the Sixth Committee at a number of ses-
sions; it was exhaustively discussed by the Committee,
and comments were also received from Governments.

6. At its fourteenth session, the Assembly decided [resolution 1451 (XIV)] that such a yearbook should be published but did not come to any final conclusions regarding its contents. This year, with a view to adopting a more specific resolution, the Sixth Committee decided [749th meeting] to appoint a working group under the chairmanship of the representative of the United Arab Republic, Professor Abdullah El-Erian. The work of this group proved to be extremely effective, since it succeeded in finally solving problems that had been discussed at length for some years, and its recommendations were adopted unanimously by the Committee.

7. It was emphasized during the debate that the Yearbook would not duplicate material published in other United Nations documents that were readily available and that it would be truly objective in nature. The Yearbook will contain documents concerning the legal activities of the United Nations, documents concerning the status of the United Nations and the specialized agencies, a comprehensive index to decisions, recommendations, discussions and reports of a legal character by the United Nations and the specialized agencies, texts of selected legal opinions of the Secretariat, an index of decisions of national and international tribunals on questions relating to the United Nations, a bibliography of legal works of the United Nations, etc. The publication will appear for the first time in 1964.

8. The draft resolution that the Sixth Committee is recommending to the General Assembly was adopted unanimously and is contained in document A/5342 and Corr.1.

9. Agenda item 75, "Consideration of the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations", was included in the provisional agenda of the seventeenth session of the General Assembly by resolution 1686 (XVI). This question was perhaps the most important one to be discussed by the Sixth Committee, and its consideration gave rise to some highly interesting debates, in the course of which the delegations entered into a lengthy analysis of the provisions of the Charter relating to international law.

10. The item was dealt with from two points of view: on the one hand, the item itself was considered; on the other hand, a study was made of technical assistance for the purpose of promoting the teaching, dissemination and wider appreciation of international law.

11. I shall begin with the latter approach. The delegations of Ghana and Ireland took the constructive step of submitting a draft resolution [A/5356, para. 74] which, as amended by the delegation of Afghanistan, urges Member-States to undertake broad programmes of training in international law and requests the Secretary-General, in conjunction with the Director-General of UNESCO, to study ways of establishing and developing such programmes, including the possibility of proclaiming a Decade of International Law. The Secretary-General's report will be discussed next year if the draft resolution submitted by the Sixth Committee to the plenary Assembly is adopted. This draft resolution appears in document A/5356.

12. The consideration of principles of international law concerning friendly relations and co-operation among States—the other approach adopted by the Committee during the debate—was undertaken in various ways. Some delegations submitted draft resolutions embodying the principles that should govern relations

between States. Other delegations sponsored a draft resolution recommending that in order to initiate the study two specific principles should be selected for analysis next year.

13. The debate gave rise to an exhaustive study of the principles of the Charter, and in addition many other basic issues of present-day international law were discussed at length. A number of delegations analysed and discussed the meaning of the concept of peaceful co-existence.

14. After much informal negotiation, the sponsors of the different draft resolutions reached agreement on a joint text, which was adopted by 73 votes to none, with 1 abstention.

15. In the text which is being recommended to the General Assembly [A/5356, para. 97] the Assembly recognizes the importance, in the progressive development of international law and in the promotion of the rule of law among nations, of the principles of friendly relations and co-operation among States, of which the Charter is the fundamental statement; it then enumerates a number of those principles. It further resolves to undertake a study of the principles in question at its next session and selects the following principles for consideration: prohibition of the threat or use of force, the peaceful settlement of disputes, the duty not to intervene in matters within the domestic jurisdiction of States, in accordance with the Charter, and the sovereign equality of States. This study will certainly provide the basis for excellent work by the Sixth Committee in the future and will make an important contribution to the maintenance of international peace and security.

16. The PRESIDENT: The first item concerns consular relations, and is contained in the report of the report of the Sixth Committee [A/5343].

17. The draft resolution was unanimously adopted in the Sixth Committee. May I take it that the General Assembly also adopts it unanimously?

The draft resolution was adopted unanimously.

18. The PRESIDENT: The next item is the question of the publication of a United Nations juridical yearbook. The report of the Sixth Committee on this subject [A/5342 and Corr.1] and the report of the Fifth Committee on the financial implications of the draft resolution [A/5373] are before us. This draft resolution was also unanimously adopted by the Sixth Committee. May I take it that this is also the wish of the General Assembly?

The draft resolution was adopted unanimously.

19. The PRESIDENT: The report of the Sixth Committee on the consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations [A/5356] is before the Assembly.

20. I now put to the vote draft resolution I in the Committee's report [A/5356].

Draft resolution I was adopted by 70 votes to none.

21. The PRESIDENT: Draft resolution II in the report of the Sixth Committee [A/5356] relates to technical assistance to promote the teaching, study, dissemination and wider appreciation of international law. This was recommended unanimously by the Sixth Committee; may I take it that the Assembly also wishes to adopt it unanimously?

Draft resolution II was adopted unanimously.

AGENDA ITEM 25

The situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples: report of the Special Committee established under General Assembly resolution 1654 (XVI) (continued)

22. The PRESIDENT: It will be recalled that yesterday [1955th meeting] the representative of Syria suggested that, in view of the adoption by the Assembly of the resolution on non-compliance by the Government of Portugal with Chapter XI of the Charter of the United Nations and with General Assembly resolution 1542 (XV) [1194th meeting], the draft resolution on Mozambique [A/L.413] has been superseded. Unless I hear objections, I shall take it that the General Assembly agrees that the question of the draft resolution recommended by the Special Committee on the subject may be regarded as disposed of.

It was so decided.

23. The PRESIDENT: If there are no representatives who wish to explain their votes on any of the three questions now before the Assembly, we shall proceed to the vote.

24. I put to the vote first the draft resolution on the question of Basutoland, Bechuanaland and Swaziland [A/L.416].

The draft resolution was adopted by 42 votes to 2, with 12 abstentions.

25. The PRESIDENT: I shall put to the vote next the draft resolution on the question of Nyasaland [A/L.417].

The draft resolution was adopted by 54 votes to none, with 6 abstentions.

26. The PRESIDENT: I shall now put to the vote the draft resolution on the question of Northern Rhodesia [A/L.418]. But first I recognize the representative of the United Kingdom on a point of order.

27. Sir Patrick DEAN (United Kingdom): I have asked for the floor on a point of order on the draft resolution which the President is about to put to the vote, on the ground that it appears to my delegation that the draft resolution is now out of date and, as I understood it, consultations were in progress with the sponsors of the draft resolution with a view perhaps not to proceed to the vote on the draft resolution at the present moment. In the judgement of my delegation, it would be far better not to put this draft resolution to the vote at present since a coalition government has now been formed in the Territory, Ministers have been appointed, and, as I say, the draft resolution itself is entirely out of date. I therefore suggest that it would be wiser not to proceed to vote on the present draft resolution.

28. The PRESIDENT: In order to determine the wish of the Assembly, I shall put to the vote the suggestion that we do not proceed at this stage to vote on the draft resolution on Northern Rhodesia [A/L.418].

The suggestion was adopted by 26 votes to 4, with 25 abstentions.

AGENDA ITEM 29

The situation in Angola: reports of the Sub-Committee established under General Assembly resolution 1603 (XV) and of the Government of Portugal (continued)*

29. The PRESIDENT: The Members of the Assembly will recall that the general debate on this item has been completed. The draft resolution [A/L.415] is now before the Assembly for its consideration. We will now hear explanations of votes.

30. Mr. GARIN (Portugal): In the wake of the debate which has nothing to characterize it except its utter divorce from the Charter, as well as from reality, and its appeal to emotions to the exclusion of reason, a draft resolution has been submitted which is similar in nature, illegal, unrealistic and unreasonable. Actually in its main lines the draft was worked out long before the debate, being a product of the fertile imagination of the majority group of the Committee of Seventeen. Thus the draft resolution, though coming after the debate in the order of presentation, actually preceded the debate in the order of elaboration. But such processes no longer cause any surprise, for they have been followed ever since the question of Angola began to be debated in the Assembly.

31. It cannot, however, be said that the Portuguese delegation has contributed to this state of affairs. To go back no further, we spoke on 5 December [1183rd meeting] to give a strictly objective and documented account of conditions in Angola today. We have also drawn the attention of all delegations to the independent testimonies of distinguished foreign personalities who visited Angola in recent months. But as is now clear from the draft resolution, neither the statements made by the Portuguese delegation, nor even the testimonies of impartial foreign observers, have been taken into account. All that has mattered for the elaboration of this draft is prejudice fed by fancy and by every available anti-Portuguese source, however irresponsible. But every source giving information of a different kind has been studiously ignored. Thus the draft resolution contained grossly unjust allegations such as "mass extermination of the indigenous population of Angola", "racial discrimination", "forced labour", "colonial war" and the like. But there is no mention of the terrorist groups organized in foreign countries and trying to disturb the peaceful lives of the Angolan people, nor of the incitement to violence against Portugal in Angola openly voiced by some foreign Governments, nor of the supply of arms and other war material to organizations threatening violence in Angola, nor of the offer to send volunteers to fight the Portuguese made by a certain Government nor of the placing at the disposal of anti-Portuguese groups of military bases in foreign countries—nothing of all these undeniable facts is reflected in the draft resolution.

32. The method followed is that of suppressing the truth and presenting false accusations as the reality, so as to draw a picture of Portugal, not only violating human rights, but also even threatening international peace and security. To carry this aim further, the new measures adopted by Portugal for the welfare and progress of the people of Angola in every field of activity, including political, have been completely ignored; no

^{1/} Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

*Resumed from the 1188th meeting.

notice has been taken of the report of the ILO Commission² so that the accusation of forced labour could be repeated; there is not even a hint of the vast financial resources deployed to step up the economic, educational and social progress of Angola, nor of the co-operation sought by the Portuguese Government from some of the specialized agencies of the United Nations to further that progress.

33. Is it believable that a Government that is doing so much for the well-being of the people should be oppressing them? But because the constructive efforts made by the Portuguese Government cannot be juxtaposed with the accusations falsely levelled in this Organization, the draft resolution avoids reference to those efforts and monotonously repeats the accusations, though these have been refuted, not by Portugal alone, but by hundreds of noteworthy foreigners who visited Angola in recent months and freely observed conditions there, and even by some Angolans who are hostile to Portugal but, quarrelling among themselves, had revealed the truth.

34. External and independent evidence corroborating Portugal's stand has accumulated and commands attention. But the cult of slogans has continued with a lack of sincerity which would be hard to excel.

35. Everyone knows who caused the trouble in northern Angola last year, compelling the Portuguese Government to take measures, as any Government would do, to protect the lives and property of all its populations, irrespective of colour, sex, age, or religion, in the performance of its fundamental and unavoidable duty. Everyone knows that the trouble which prevailed for some time last year in northern Angola is a thing of the past and that conditions of peace have been restored, though occasional terrorist raids and the persistent threats coming from outside make it necessary to maintain close vigilance. Everyone knows that the greater number of people who had fled last year from the disturbed areas of northern Angola have returned to the old places, except for those who are held back by political groups operating in the neighbouring country. Everyone knows that the traditional peace of nine-tenths of Angola has never been disturbed. Nevertheless, the accusations continue in the same old fashion, showing that truth goes the way of the Charter in the interest of attempts to create a suitable atmosphere for making high-handed proposals against Portugal. Thus there is in the draft resolution a clause dictating even details of the internal administration of Angola, which is clearly a matter of the exclusive competence of Portugal. Thus the purpose, originally sought to be concealed, of interfering with the internal affairs of Portugal has now been brought into the open. Finally, there is a request to the Security Council to ensure enforcement of this and other illegitimate proposals.

36. I have been dealing with the aspects of this draft resolution which are of a most serious nature, the implications of which should be carefully considered by all before a vote is taken. There is, however, a far more serious provision in this draft to which my delegation calls the attention of all delegations, for it pertains to a domain which this Organization cannot enter without a full realization that it is touching the very fundamentals on which it is based; I refer, of course, to the request

that sanctions be imposed against my country should it fail to implement the illegal provisions suggested in the present draft.

37. Now, during the life of this Organization there have been actions taken by Members in contravention of the highest rule of international law, that which establishes that countries must not resort to force to settle their differences. We do not need to remind representatives of the several instances of such acts of aggression which have clearly disregarded this rule. But in spite of that, not once has this Organization imposed sanctions against aggressor Member States. In the light of this fact it is outrageous that sanctions should be even so much as suggested against a peaceful and honourable country for refusing to implement provisions illegally considered and for protecting the lives and property of its population and promoting their all-round progress, when this Organization has not thought of sanctions against real aggressors nor against the several countries which have refused to abide by resolutions even if, as has been the case, those resolutions were legal.

38. In this context my delegation solemnly submits that any attempt to apply sanctions will open the road to the complete discrediting of this Organization and indeed its ultimate ruin. This is a most serious challenge to all delegations who respect the principles of justice and morality.

39. The multitude of vice that has gone into the making of this draft resolution is so appalling that my delegation protests in the most vigorous possible terms against the injustice which it embodies and the deplorable language in which it is phrased. We reject most emphatically the unwarranted allegations it contains and formulate the most express reservations of the Government of Portugal in regard to the provisions of this draft resolution.

40. Mr. BINGHAM (United States of America): In order not to impose on the delegations, my delegation does not intend to speak on the draft resolution [A/L.415] which has just been presented on Angola. Our views on the subject, particularly as to the applicability of the principle of self-determination to Angola and other Portuguese territories, are well known to all representatives.

41. We shall have to oppose the draft resolution before us for the same reasons we expressed in the course of the debate in the Special Committee, that is to say, primarily because of the call for an arms embargo and because of the call for sanctions.

42. I have asked for the floor now simply to state that after the present draft resolution [A/L.415] has been voted upon, my delegation will introduce, with your permission, Mr. President, another draft resolution under this item. At that time my delegation will ask to speak in connexion with the introduction of that draft resolution.

43. Mr. OKAZAKI (Japan): My delegation will abstain in the voting on the draft resolution on Angola [A/L.415] in its present form, solely because of the mention made in this draft of the eventuality of sanctions being applied by the Security Council against the Government of Portugal. The position of my Government on the advisability of whether the General Assembly should request the Security Council to apply sanctions against a Member Government has been clear and consistent. Sanctions are, as we all know, extreme measures taken by the

²/ International Labour Office, Report of the Commission appointed under Article 26 of the Constitution of the International Labour Organisation to Examine the Complaint filed by the Government of Ghana concerning the Observance by the Government of Portugal of the Abolition of Forced Labour Convention 1957 (No. 105), Geneva, 1962.

Security Council in cases clearly and unequivocally specified in Chapter VII of the Charter. For the General Assembly to request the Security Council to take such measures would, in our view, even if such procedure is legally possible, actually amount to an open admission of total failure on the part of the Assembly in the discharge of its foremost political responsibility, namely the peaceful adjustment of international situations through thorough discussion and by means of negotiation. We in the Japanese delegation are more than reluctant to be reduced to such an admission of failure on the part of this Assembly. We might seem to be overly optimistic, but we strongly believe in the power of this Assembly which, after all, is an organ consisting of representatives of 110 sovereign nations of the world. Our belief in this Assembly is, in the last analysis, nothing else but a belief in the Organization of the United Nations itself.

44. The position of my Government and my delegation with respect to the situation in Angola has been made perfectly clear in our past votes. In particular I would like to remind the Assembly of the attitude taken by my delegation in the Fourth Committee [1417th meeting] concerning the general resolution on the Non-Self-Governing Territories under Portuguese administration. It is, of course, evident that if the wording of the relevant paragraphs on sanctions is deleted, we shall be in a position to vote also in favour of the draft resolution now before us.

45. Mr. DADET (Congo, Brazzaville) (translated from French): My delegation will cast an enthusiastic vote for the draft resolution [A/L.415] which the representative of Portugal opposes. In so doing, it will remain true to the position it has taken ever since the valiant people of Angola and Cabinda first showed their determination to be rid of a mediaeval system which is condemned by all Africa. We have no use for the legal quibbling in which the Portuguese representative continues to indulge here. One fact remains indisputable: the African peoples of Angola and Cabinda want no more of Portuguese colonialism, and the whole world knows it. That is why the United Nations would not be wise to follow the Portuguese representative into the labyrinth of his apologetics, which can deceive only the naive.

46. Since the Salazar Government refuses even to consider negotiations of any kind on the situation in Angola and Cabinda, my delegation feels that it is no longer possible to try to discuss the matter with Mr. Salazar, a leader who has been left behind by events.

47. The PRESIDENT: I wish to announce that there are now two additional sponsors of this draft resolution: Algeria and the United Arab Republic.

48. I recognize the representative of Italy on a point of order.

49. Mr. CARDUCCI-ARTENISIO (Italy): The Italian delegation requests a separate vote on operative paragraph 7 of the draft resolution [A/L.415 and Add.1].

50. Mr. DIALLO Telli (Guinea) (translated from French): My delegation opposes the request just made for a separate vote on paragraph 7. As the speakers before me have stated, the draft resolution has already been studied at length in the Committee of Seventeen. Now that it is being considered by the General Assembly in plenary meeting, it should be voted upon as a whole. In accordance with rule 91 of the rules of procedure, I hereby object to the request for a separate vote.

51. The PRESIDENT: I wish to draw the attention of the sponsors of the draft [A/L.415 and Add.1] to resolution 1742 (XVI) referring to the situation in Angola. Operative paragraph 6 states:

"The General Assembly . . .

"Decides to continue the Sub-Committee on the situation in Angola appointed under General Assembly resolution 1603 (XV);

"(a) To continue the performance of its tasks;

"(b) To study ways and means to secure the implementation of the present resolution and to report thereon to the Security Council and to the General Assembly".

52. The draft resolution under consideration expresses the satisfaction of the Assembly for the work which the Sub-Committee has accomplished and says nothing more as to whether the Sub-Committee is to continue or not. If the sponsors wish to explain this, I should be glad to call on them.

53. Mr. RIFAI (Syria): I come to this rostrum, not to give an interpretation of this draft resolution [A/L.415 and Add.1] but merely to ask the President if he will be kind enough to give us some time to consider this point among the co-sponsors, together with other delegations who are directly interested in the matter. It was my understanding yesterday that the question of Angola and all of these draft resolutions relating to colonial matters would come in the afternoon for voting. We thought that this would give us the opportunity to have certain consultations pursuant to developments that have recently taken place. However, we find ourselves today confronted with voting, without having had this previous consultation that we believe should take place. At this juncture I would say that the draft resolution, as it stands, certainly does not refer to the matter that the President has just raised, but it seems to me that it could be interpreted either one way or the other by the General Assembly or by individual Members of the General Assembly. It could certainly be interpreted that the Sub-Committee on the situation in Angola rests in some sort of suspended animation. At the same time, if there is any matter of an urgent nature, the Sub-Committee is there and can resume its work. However, certainly, if the President wishes to clarify this point and make it much more explicit, then I would request him to give us some time in order to have some sort of consultation among our friends. This is all I can say because I have no authority from any one of the co-sponsors on this, nor did we have any consultations with any of those delegations who are directly concerned in the matter in order to give an interpretation at this stage. I hope that the President understands the predicament in which I find myself at this moment. For that reason I cannot say any more than I have.

54. The PRESIDENT: I am obliged to the representative of Syria for his explanation of the situation. It is not for me to suggest what should be done or what should not be done. I merely wanted the Assembly to be quite clear on the draft resolution on which we are to vote because, on comparing the two resolutions, I realized that some representatives might be in doubt as to the intent of this draft resolution. In any case, a resolution speaks for itself. The Assembly will vote on the draft resolution as it stands [A/L.415 and Add.1].

55. I now take up the question raised by the representative of Italy. He has requested a separate vote on

operative paragraph 7 and this has been opposed. I shall put this question to the vote. A roll-call vote has been requested.

A vote was taken by roll-call.

Ivory Coast, having been drawn by lot by the President, was called upon to vote first.

In favour: Luxembourg, Mexico, Netherlands, New Zealand, Norway, Peru, Republic of South Africa, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Argentina, Australia, Austria, Belgium, Brazil, Canada, Denmark, Dominican Republic, Finland, France, Greece, Honduras, Ireland, Italy.

Against: Ivory Coast, Jordan, Lebanon, Liberia, Madagascar, Mali, Mauritania, Mongolia, Niger, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Sudan, Syria, Tanganyika, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yugoslavia, Afghanistan, Albania, Algeria, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iraq.

Abstaining: Japan, Laos, Nepal, Panama, Philippines, Portugal, Spain, Thailand, Uruguay, Venezuela, Bolivia, Ceylon, Chile, China, Cyprus, Iran.

The motion was rejected by 47 votes to 25, with 16 abstentions.

56. The PRESIDENT: The Assembly will now vote on the thirteen-Power draft resolution [A/L.415 and Add.1] as a whole. A roll-call vote has been requested.

A vote was taken by roll-call.

Rwanda, having been drawn by lot by the President, was called upon to vote first.

In favour: Sierra Leone, Sudan, Syria, Tanganyika, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Venezuela, Yugoslavia, Afghanistan, Albania, Algeria, Bolivia, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Madagascar, Mali, Mauritania, Mongolia, Nepal, Niger, Nigeria, Pakistan, Panama, Philippines, Poland, Romania.

Against: South Africa, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Canada, France, Italy, Luxembourg, Netherlands, New Zealand, Portugal.

Abstaining: Sweden, Thailand, Uruguay, Argentina, Austria, Brazil, Chile, China, Denmark, Dominican Republic, Finland, Greece, Honduras, Ireland, Japan, Mexico, Norway, Peru.

The resolution was adopted by 57 votes to 14, with 18 abstentions.

57. The PRESIDENT: I recognize the representative of Brazil in explanation of vote.

58. Mr. HOUAISS (Brazil) (translated from French): My delegation would like to explain why it abstained from the vote on the draft resolution on the situation in Angola.

59. The use of the word "suppression", which suggests the idea of genocide, in the English text of the fifth preambular paragraph, is one of the circumstances that prevented us from joining the majority, although we are aware that the word "répression", used in the French text, is the authoritative one.

60. In the sixth preambular paragraph, it is stated that "the economic life of Angola is to a large extent based on forced labour"; in our view, that is not altogether accurate.

61. Paragraph 3 is drafted in language which, as we have said on previous occasions, my delegation feels that it cannot accept. Cherishing as we do the hope that a peaceful solution will be found to the dispute between Portugal and a majority of the Members of the United Nations, we consider that the door to such a solution should not be closed and that room should be left for a possible understanding between the parties. Instead of the word "condemns", we would have preferred the word "deplores".

62. With reference to paragraph 7, since I have already commented on one of the words used in the English text, I shall merely recall my earlier comment without going into detail.

63. In paragraph 9, the question of Angola is referred to the Security Council, which will have full jurisdiction if Portugal does not comply with the resolution just adopted or with the previous resolutions. The General Assembly is thus referring these matters to an appropriate body, leaving it complete discretion to take action of the nature and scope called for by the situation. Hence the words "including sanctions" in the English text and "y compris l'adoption de sanctions" in the French text seem to us to be out of place. Under the Charter, the adoption of sanctions is a power specifically conferred upon the Security Council, and does not seem appropriate to us to remind that body of its functions and powers, as if the Security Council was unable to take its own decision. This unnecessary phrase was avoided for that very reason in paragraph 8 of the draft resolution on territories under Portuguese administration [A/5349, draft resolution I]. These two paragraphs are, I might add, virtually identical.

64. Mr. GORE (United States of America): My delegation today, at this moment, is introducing a draft resolution which I would like to read:

"The General Assembly,

"Recalling its previous consideration of Angola and Mozambique,

"Having concluded that there is a need for further detailed information from within Angola and Mozambique on conditions there,

"1. Requests the President of the seventeenth General Assembly to appoint two United Nations representatives, one for the purpose of gathering information on Angola, the other for the purpose of gathering information on conditions in Mozambique, in both cases including information on political, economic and social conditions, by visiting those two Territories and other places as they may deem necessary;

"2. Requests the Government of Portugal to extend to the United Nations representatives such assistance as they may require pursuant to their mandate;

"3. Requests the United Nations representatives to draw up reports for the consideration of the eighteenth General Assembly."

65. I believe that this draft resolution is self-explanatory and needs very little additional comment. So far as the appointment of the United Nations representatives is concerned, the President, presumably, could follow the usual procedure in making the appointments after full consideration with delegations, and would appoint persons of unimpeachable integrity and objectivity, in whom all would have confidence. The draft resolution that I am now introducing is the result of an understanding between my Government and the Government of Portugal, which has been reached at a very high level. I want to emphasize that it is of the utmost importance that this draft resolution not be amended if it is to succeed in its purpose. I say this in full recognition of the fact that many delegations would prefer to see the draft resolution changed in one way or another, either to incorporate, expressly, reference to certain past resolutions of the General Assembly or to substitute a group of representatives for the concept of single representatives.

66. I can appreciate the reasons delegations might have for such changes, but I want to make clear—and very clear—that in this case what we have to decide is whether or not it is worth while to take a step that is available to us. The United States believes that it is; and if I may express a personal note, as Chairman of the African Sub-Committee of the United States Senate Foreign Relations Committee, I, personally, think that it is available to us, and is important.

67. If this draft resolution is adopted and carried out, it would mean that, for the first time, a United Nations representative would officially visit Angola and Mozambique. This, in the view of my Government, would be a very significant step.

68. I should like to emphasize that adoption of this draft resolution would not, in any way whatsoever, reflect upon the Sub-Committee on Angola, the Special Committee on Portuguese Territories, or the Committee of Seventeen. None of these Committees was permitted to visit the Portuguese territories, although the former two asked the permission of the Portuguese to do so. This permission was denied. Thus, there has been no such thing as a United Nations representative in Mozambique and Angola, except for representatives of the specialized agencies.

69. My Government is convinced that the presence of such United Nations representatives in the Portuguese territories would be useful. It is now up to the Members of this Assembly to decide whether or not they agree with the opinion and the conviction of my Government.

70. The PRESIDENT: I recognize the representative of Guinea on a point of order.

71. Mr. DIALLO Telli (Guinea) (translated from French): The General Assembly has just heard an extremely important statement about a draft resolution which we do not yet have before us.

72. My delegation does not wish to enter into a discussion of the merits of a document which seems, on the strength of a first impression, to be a very impor-

tant one—particularly in that it appears to challenge the validity of all the efforts made by the United Nations over a period of many years. My delegation will examine the merits of this proposal after we have given it careful study. I have come to this rostrum simply to say that in view of the very importance of the question and in the light of the observations made by the United States representative—that is to say, his wish that Members of the Assembly should study his proposal and if necessary submit amendments, explaining the reasons for any changes they wish to make—my delegation suggests that no decision should be taken at today's meeting; we should wait until the document has been circulated and has undergone the usual process of consultation and discussion, particularly among the members of the African group.

73. My delegation would formally invoke the relevant rule of our rules of procedure if that was necessary, but I am certain that our proposal is such a routine one that the United States representative will have no objection to it. May I therefore sum it up by requesting that the document be circulated to us and that we be given sufficient time to examine it, so that we can comment on it in a knowledgeable manner.

74. Mr. GORE (United States of America): My delegation concurs in the views expressed by the representative of Guinea with respect to the need for time in which to consider the draft resolution [A/L.420] which I have, just a few moments ago, introduced. Like him, we think it not only needs, but deserves, the very careful, thoughtful consideration of the Members of the Assembly.

75. My delegation does not now have any intent to try to rush consideration of this item. Indeed, as you have seen, we delayed introduction of the draft resolution until all other resolutions have been acted upon in this regard, in so far as we know.

76. Therefore, I wish to join in the suggestion—which, I take it, is a matter that, if pressed by the representative of Guinea, would be a point of order—that action on this matter lie over until tomorrow, during which time the representatives will have had time to give it the consideration we think it deserves.

77. The PRESIDENT: In view both of the importance of the proposal contained in the United States draft resolution, and the fact that the draft resolution had been introduced orally, I myself have not intended to proceed with further consideration of this draft resolution—certainly not to vote on it today.

78. I am also in accord with the view expressed by the representative of Guinea and by the representative of the United States of America. I would, therefore, adjourn consideration of this matter until tomorrow. However, I have an urgent request from the representative of Portugal that he wishes to speak just now. Perhaps it might be useful to the Members of the Assembly to know the views of Portugal on this draft resolution for their own further consideration of it. During the adjournment, that might be possible in view of the stage at which we have arrived in our agenda.

79. Thus, if there is no objection, I would call upon the representative of Portugal to speak now. Thereafter, I will adjourn further consideration of this item.

80. Mr. GARIN (Portugal): Without prejudice to the clear position of my Government, that Article 73 is not applicable to the Portuguese overseas provinces, we are agreeable to the appointment of two United

Nations' representatives—one for the purpose of gathering information in Angola, and the other, in Mozambique, on political, economic and social conditions there—and are prepared to support the draft resolution in its present form.

81. We assume, of course, that you, Mr. President, would make the appointments of the representatives on the basis of consultations with my delegation and with such other delegations as you may deem appropriate, so that those representatives would enjoy the trust and confidence of all concerned.

82. We are prepared to extend full co-operation to such representatives. They would be able to travel freely anywhere in Angola or Mozambique, as the case may be, and in any of our other territories that they might deem it necessary to visit, and to talk freely to anyone to whom they might consider it useful to talk in carrying out their mission.

83. Our purpose in agreeing to support the draft resolution which has just been submitted is to have objective, factual and detailed reports of conditions in our overseas provinces, based on evidence and information gathered from within the territories. Such reports would, in our view, go a long way towards clarifying the actual conditions there and removing the difference of opinion on this subject.

84. The PRESIDENT: Further consideration of the draft resolution [A/L.420] proposed by the representative of the United States will be postponed until tomorrow.

AGENDA ITEM 25

The situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples: report of the Special Committee established under General Assembly resolution 1654 (XVI)
(continued)

85. The PRESIDENT: I call on the representative of the United Kingdom in explanation of vote.

86. Sir Patrick DEAN (United Kingdom): I should like briefly to explain my delegation's votes on two resolutions which were adopted earlier this morning by the General Assembly.

87. In the first place, my delegation voted against the resolution on Basutoland, Bechuanaland and Swaziland. We did so because this text takes no account of the realities of the situation in these territories, or of the steps being taken by my Government to proceed with constitutional advance. In Basutoland, a constitutional commission composed of representatives of all political parties is now at work and will make recommendations on proposals for constitutional revision in the course of the next few months. In Bechuanaland, the

present Constitution will be reviewed in consultation with the political parties, the chiefs and other interests and communities in the near future. In the case of Swaziland, it has just been announced that talks on the next stage of constitutional advance will be held in London next month.

88. On the question of incorporation into South Africa, I have twice in the last few weeks made it clear from this rostrum that there is no question of these territories being absorbed into South Africa. Much to our regret, the resolution just adopted takes no account of these facts, and my delegation therefore had no alternative but to vote against it.

89. With regard to the resolution on Nyasaland, my delegation has often made it clear that it is opposed in principle to resolutions relating to individual Non-Self-Governing Territories. However, I acknowledge that the sponsors have made a sincere attempt to recognize that my Government, in consultation with Mr. Banda and other representatives of the population of Nyasaland, is continually working for the constitutional advance of that territory. Without prejudice, therefore, to the position of principle which I have just restated, my delegation abstained from the vote on the resolution on Nyasaland.

Statement by the President

90. The PRESIDENT: The representative of Syria referred to the question of the time-table of plenary meetings—that is, when certain items might be taken up. I would explain, for the information of Members, that the plenary has become very much the orphan of this session of the Assembly. As Members are aware, a fairly heavy load of items was allocated to the plenary; some were items that must necessarily be allocated to the plenary; others were items which could well have gone to Committees but which Members of the Assembly, in their wisdom, decided to allocate directly to the plenary.

91. Thus, it has been my constant endeavour to find time for plenary meetings in such a way that these meetings would not conflict with meetings of the Committees, if that could be avoided. As was natural, the Chairman of the Committees did not wish plenary meetings to be held at times which might necessitate the cancellation of their meetings; if the Committees could not proceed to deal with their items, the plenary would obviously get stopped at some time or other.

92. I trust, therefore, that Members will from now on be prepared to have items put on the agenda of plenary meetings at short notice, but I trust equally that they will be ready to dispose of them when they are put on the agenda.

The meeting rose at 12.20 p.m.